

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

CHARLES DENT,

Plaintiff,

v.

NICK NALLEY, et al.,

Defendants.

Case No. 3:16-cv-442-NJR-DGW

ORDER

WILKERSON, Magistrate Judge:

On September 15, 2016, Defendants filed an “answer” (Doc. 26) in which they responded to the statements made in the Court’s 28 U.S.C. § 1915A screening order (Doc. 15) as oppose to the actual complaint (Doc. 1). Plaintiff moved to strike the answer (Doc. 32) arguing, correctly, that the Federal Rules of Civil Procedure, notably Rules 7, 8, and 12, indicate that an answer must be made to the complaint as opposed to an order of the Court. Defendants, recognizing their error, sought leave to file a (proper) amended answer, which was filed on November 9, 2016 (Doc. 39). This matter currently is at the initial stages, the discovery deadline is not until September 29, 2017, and there is no prejudice to the Plaintiff in the filing of the amended answer (Doc. 36). Therefore, Plaintiff’s motion to strike is **MOOT** (Doc. 32).

Defendants also seek an extension of the dispositive motion filing deadline, as it relates to exhaustion motions, in order to acquire discovery. The motion is **GRANTED** (Doc. 40) and the deadline for exhaustion motions is extended to **December 28, 2016**.

DATED: December 2, 2016



DONALD G. WILKERSON
United States Magistrate Judge